

STATE OF MICHIGAN

BEFORE THE MICHIGAN JUDICIAL TENURE COMMISSION

COMPLAINT AGAINST:

HON. SUSAN R. CHRZANOWSKI  
Judge, 37th District Court  
Warren, Michigan 48093

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FORMAL COMPLAINT NO. 65

**COMPLAINT**

Pursuant to MCR 9.209(A), the Judicial Tenure Commission of the State of Michigan (“Commission”), files this Complaint against the Hon. Susan R. Chrzanowski (“Respondent”). Respondent is now and was at all material times a judge of the 37<sup>th</sup> District Court. This action is taken pursuant to the authority of the Commission under Article VI, Section 30 of the Michigan Constitution of 1963, as amended, and MCR 9.200 *et seq.* The filing of this Complaint has been authorized and directed by resolution of the Commission.

Respondent is hereby charged with acts of judicial misconduct as follows:

1) Attorney Michael Fletcher began the private practice of law in early 1998 at an office located in Center Line, Michigan.

2) In April, 1998, Respondent began an intimate personal relationship with attorney Michael Fletcher, which developed into a romantic and sexual relationship in approximately July of 1998 and continued until August, 1999. At all times during this relationship, Mr. Fletcher was married to Leann Fletcher and the father of one child.

3) Between April, 1998 and August, 1999, Respondent assigned Michael Fletcher to serve as defense counsel for indigent criminal defendants in approximately 64 matters at the 37<sup>th</sup> District Court. During the same period of time, the other three judges at the 37<sup>th</sup> District Court collectively appointed Mr. Fletcher approximately 22 times.

4) Mr. Fletcher regularly and routinely appeared before Respondent in connection with the aforesaid matters. On none of those occasions did Respondent disclose to the prosecution that she and Fletcher were engaged in an intimate personal or romantic and sexual relationship. Additionally, Respondent did not offer to disqualify herself because of her relationship with Fletcher.

5) Between April, 1998 and August, 1999, Respondent approved payment of approximately \$17,000 in legal fees to Mr. Fletcher for services in cases where she had assigned him to represent indigent criminal defendants. The monetary value of the assignments by the other judges to Mr. Fletcher during the same time period was about \$6,000.

6) Respondent's conduct, as described in paragraphs 1-5, constitutes:

- a) Misconduct in office, as defined by the Michigan Constitution of 1963, Article VI, § 30, as amended, and MCR 9.205;
- b) Conduct clearly prejudicial to the administration of justice, as defined by the Michigan Constitution of 1963, Article VI, § 30, as amended, and MCR 9.205;
- c) Abdication of Respondent's duty to personally observe high standards of conduct so that the integrity and independence of the judiciary may be preserved, as required by the Code of Judicial Conduct, Canon 1;

- d) Irresponsible or improper conduct, including impropriety or the appearance of impropriety, which erodes public confidence in the judiciary, contrary to the Code of Judicial Conduct, Canon 2A;
- e) Failure to respect and observe the law, and to conduct herself at all times in a manner which would enhance the public's confidence in the integrity and impartiality of the judiciary, contrary to the Code of Judicial Conduct, Canon 2B;
- f) Allowing social or other relationships to influence judicial conduct or judgment, contrary to the Code of Judicial Conduct, Canon 2C;
- g) Making appointments based on considerations other than merit, contrary to the Code of Judicial Conduct, Canon 3B(4);
- h) Failure to raise the issue of disqualification when there was cause to believe that grounds for disqualification may exist under MCR 2.003(B), in violation of the Code of Judicial Conduct, Canon 3C; and
- i) Conduct violative of MCR 9.104 (1), (2) and (3) in that such conduct is prejudicial to the proper administration of justice; exposes the legal profession or the courts to obloquy, contempt, censure or reproach; and is contrary to justice, ethics, honesty or good morals.

7) Respondent presided over the case of People v Donald Thomas Richards, 37<sup>th</sup> District Court Case No. W224162, in which the defendant was charged with OUIL.

8) Mr. Richards was represented by Michael Fletcher, as retained counsel. Although Respondent was involved in an intimate personal or romantic and sexual relationship with Michael Fletcher at the time, Respondent failed to

disclose that fact and did not raise the issue of disqualification. Further, on September 8, 1998, Respondent entered an order granting Mr. Fletcher's motion to dismiss with prejudice based on the prosecutor's alleged violation of Respondent's discovery order.

- 9) Respondent's conduct, as described in paragraphs 7-8, constitutes:
- a) Misconduct in office, as defined by the Michigan Constitution of 1963, Article VI, § 30, as amended, and MCR 9.205;
  - b) Conduct clearly prejudicial to the administration of justice, as defined by the Michigan Constitution of 1963, Article VI, § 30, as amended, and MCR 9.205;
  - c) Abdication of Respondent's duty to personally observe high standards of conduct so that the integrity and independence of the judiciary may be preserved, as required by the Code of Judicial Conduct, Canon 1;
  - d) Irresponsible or improper conduct, including impropriety or the appearance of impropriety, which erodes public confidence in the judiciary, contrary to the Code of Judicial Conduct, Canon 2A;
  - e) Failure to respect and observe the law, and to conduct herself at all times in a manner which would enhance the public's confidence in the integrity and impartiality of the judiciary, contrary to the Code of Judicial Conduct, Canon 2B;
  - f) Allowing social or other relationships to influence judicial conduct or judgment, contrary to the Code of Judicial Conduct, Canon 2C;
  - g) Failure to raise the issue of disqualification when there was cause to believe that grounds for disqualification may exist under MCR 2.003(B), in violation of the Code of Judicial Conduct, Canon 3C; and

- h) Conduct violative of MCR 9.104 (1), (2) and (3), in that such conduct is prejudicial to the proper administration of justice; exposes the legal profession or the courts to obloquy, contempt, censure or reproach; and is contrary to justice, ethics, honesty or good morals.

10) On August 17, 1999, Respondent was interviewed by representatives of the Hazel Park Police Department concerning the shooting death of Michael Fletcher's wife, Leann Fletcher, on August 16, 1999. In the course of that interview, Respondent falsely stated that her romantic and sexual relationship with Michael Fletcher began in February, 1999, and ended approximately one month later, because Fletcher had reconciled with his wife. Additionally, Respondent falsely informed the police that she had not spoken to Fletcher since the shooting of his wife but had only received a voice mail message from him on her pager. In a subsequent interview, on August 19, 1999, Respondent stated to the police that, in fact, her romantic and sexual relationship with Fletcher began in August, 1998 and continued until August 1999, when his wife died; and that she did speak with Mr. Fletcher by telephone on August 17, 1999, prior to the first interview, at which time he sounded upset.

11) Respondent's conduct, as described in paragraph 10, constitutes:

- a) Misconduct in office, as defined by the Michigan Constitution of 1963, Article VI, § 30, as amended, and MCR 9.205;
- b) Conduct clearly prejudicial to the administration of justice, as defined by the Michigan Constitution of 1963, Article VI, § 30, as amended, and MCR 9.205;
- c) Abdication of Respondent's duty to personally observe high standards of conduct so that the integrity and independence of the judiciary may be preserved, as required by the Code of Judicial Conduct, Canon 1;

- d) Irresponsible or improper conduct, including impropriety or the appearance of impropriety, which erodes public confidence in the judiciary, contrary to the Code of Judicial Conduct, Canon 2A; and
- e) Conduct violative of MCR 9.104(1), (2) and (3), in that such conduct is prejudicial to the proper administration of justice; exposes the legal profession or the courts to obloquy, contempt, censure or reproach; and is contrary to justice, ethics, honesty or good morals.

Pursuant to MCR 9.209, Respondent is advised that an original verified Answer to the foregoing Complaint, and nine copies thereof, must be filed with the Commission within 14 days after service upon Respondent of the Complaint. Such Answer shall be in a form similar to the answer in a civil action in a circuit court and shall contain a full and fair disclosure of all facts and circumstances pertaining to Respondent's alleged misconduct. Any willful concealment, misrepresentation, or failure to file such answer and disclosure shall be additional grounds for disciplinary action under the Complaint.

MICHIGAN JUDICIAL  
TENURE COMMISSION

BY: \_\_\_\_\_

Allan D. Sobel (P 40872)  
Examiner  
211 West Fort Street, Suite 1410  
Detroit, Michigan 48226

DATED: April 14, 2000

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